



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

HARTLEY *et al.*

Appl. No. 09/177,387

Filed: October 23, 1998

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Art Unit: 1636

Examiner: Yucel, I.

Atty. Docket: 0942.2850004/RWE/BJD

#28

**Notice of Appeal From the Examiner to the Board  
of Patent Appeals and Interferences - Large Entity**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated **October 30, 2001**, in which claims 26, 28-35, 52 and 89-99 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our Check No. 35002. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date April 30, 2002

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